

Message Text

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73

ACTION L-03

INFO OCT-01 ARA-16 ISO-00 COA-02 EB-11 COME-00 DLOS-06

CG-00 TRSE-00 INT-08 AGR-20 H-03 IO-14 JUSE-00

CIAE-00 INR-10 NSAE-00 RSC-01 DRC-01 /096 W

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R 172330Z DEC 73

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 9281

C O N F I D E N T I A L MEXICO 9464

EO 11652: GDS

TAGS: EFIS, MX

SUBJ: JURISDICTION OVER FISHERIES

REF: STATE 245037

1. MEXICO'S STATED POLICY IS IN FAVOR OF A 200-MILE ECONOMIC ZONE, OR, IN THEIR WORDS, "PATRIMONIAL SEA"; I.E., THE COASTAL STATE WOULD EXERCISE EXCLUSIVE ECONOMIC CONTROL IN THIS ZONE. IN VIEW OF SUCH A POLICY THE CONCEPT OF CREATURES OF THE SHELF DOES NOT SEEM RELEVANT.

2. ALTHOUGH MEXICO HAS SAID IN THE PAST THAT THEY WILL AWAIT THE OUTCOME OF THE LOS CONFERENCE, THERE IS A POSSIBILITY THAT THEY WILL ADOPT AN INTERIM 200-MILE POSITION IF THE TUNA DISCUSSIONS SCHEDULED TO BEGIN JAN 14 DO NOT RESULT IN A DECISION WHICH THEY CONSIDER FAVORABLE. A U.S. DECLARATION OF JURISDICTION OVER AMERICAN LOBSTER WOULD REINFORCE MEXICO'S POSITION IN REGARD TO A PATRIMONIAL SEA.

3. THE EMBASSY DOES NOT BELIEVE THAT A U.S. DECLARATION ON LOBSTER WOULD IN ITSELF CAUSE MEXICO TO MOVE TO AN INTERIM POSITION OF 200 MILES SINCE THEY DO NOT ENGAGE IN THAT FISHERY. THE DECLARATION BY THE U.S. OF JURISDICTION OVER A FISHERY RESOURCE THAT CLEARLY

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DOES NOT QUALIFY UNDER THE WORDING OF THE CONVENTION

ON THE RESOURCES OF THE CONTINENTAL SHELF WILL HOWEVER
REINFORCE THE CONTENTION BY MEXICO THAT AS A COASTAL
STATE THEY ARE ENTITLED TO A GUARANTEED SHARE OF THE
TUNA RESOURCE. THIS COULD CAUSE A FREEZING OF THEIR
POSITION ON COUNTRY QUOTAS FOR TUNA AND A BREAKDOWN
OF OUR NEGOTIATIONS NEXT MONTH. THE OUTCOME OF SUCH
A FAILURE TO REACH AGREEMENT MIGHT LEAD TO PREMATURE
DECLARATION OF A 200-MILE ECONOMIC ZONE BY MEXICO.
MCBRIDE

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NNN

Message Attributes

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Concepts: FISHING RIGHTS, TERRITORIAL SEA LIMIT, LAW OF THE SEA, LAW, FISHING AGREEMENTS, ADJACENT SEAS
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Disposition History: n/a
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30 JUN 2005

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